Previous References:-
1. L.B. No 7 238 of 08-09
2. L.B 7 143 of 07-08
3. L.R 154 of 1854
4. Rev No 54 of 1907-08
5. L.R 2 251 of 05-06

C.R.S. 57.]

**File No.** 43 of 1910-11

**Serial Nos.** 1 – 6

**1910-11**

# GENERAL AND REVENUE SECRETARIAT.

(Legislation) 17

*Part A: Manuscript*
for November 1911

The Mysore Local Boards Regulation Amendment Bill and Local Fund

**Serial Nos.** — 6

D.O. Letter No. 589 dated the 2nd June 1910 from J. Anandarao, Bar-at-Law, Dewan of Mysore, to the Hon'ble Mr. Leith, Esq., C.I.E., I.C.S., Resident in Mysore

Forwards a copy of the Bill with Statement of Objects and Reasons and States that it will be placed before the Legislative Council in due course.

2

GPB—5,000—20-6-06.

15

G.R.S. 11] 1900 - 11

GENERAL AND REVENUE SECRETARIAT

(Legislation)

NOTES

File No. 43-10

FILE HEADING.

The Local Boards Regulation Amendment Regulations

From

| No. | Dated | Received |
|---|---|---|

| Diary No. | Enclos. | Spare Copies | Serial No. |
|---|---|---|---|

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

P.T.O.

NOTES—First sheet.

GPB—15,000—24-4-09

Leg 7 43 of 10-11 2

*Submitted to His Highness.*

I submit for approval the draft of a D. O. letter to the Hon'ble the Resident intimating the Durbar's intention to place certain Bills before the Legislative Council.

V. N. Mandlik

2—

Leg/21 1.2 0/20-11 3

**Record of Cases submitted for the Orders of His Highness the Maharaja.**

*Subject.*

Draft of a D.O. letter to the Hon'ble the Resident intimating the Durbar's intention to place certain Bills before the Legislative Council.

25.2.09
667

669

6/14
2/2/09

2. *Order.*

~~KRIS~~

26/2/09

5

D.O. Secret
dt
27.2.09
file
C873
2/3/09

Leg 743 1/10-4 4

D.O. No. 1612/Su 2. dated 27th February 1909.

Bangalore,
27th February 1909.

From Mr V. P. Madhava Rao BA BCL
Dewan, Hon Asst to H.M. Resdt,
CSI Res. Resident in Mysore

Dear Mr. Fraser,

I send herewith for information drafts of the marginally noted Bills. together with statements of objects and reasons therefor, and write to say that the Durbar propose to place these measures before the Legislative Council at its next meeting.

X
1. A Bill to amend the Mysore Local Boards Regulation II of 1902.
~~2. The Mysore Motor Vehicles Bill.~~
2. The Mysore Small Cause Courts Bill.

X

I would also invite reference to the Civil Procedure Code the Limitation Act and the law relating to insolvency as recently revised by the Government of India. The desirability of bringing the law in Mysore on these subjects into line with the new British Indian Acts has been urged upon the Durbar. It is therefore proposed to introduce at the same meeting of the Council bills to amend and consolidate the law relating to the above subjects also. Copies of the draft bills will be forwarded to you as soon as they are printed.

Yours sincerely,

(Sd) V. P. Madhava Rao

4

Sy

Mysore. Dft. 43 of 10-11

Bill to amend the Mysore Local Boards Regulation 11 of 1902

Whereas it is expedient to amend the Mysore Local Boards Regulation 11 of 1902, His Highness the Maharaja is pleased to enact as follows:

~~Insertion~~ New section to be inserted after section 7 of the said Regulation.

The following shall be inserted after section 7 of the said Regulation namely:—

Local Board may prohibit sale in public roads.

"7A (1) A Local Board may from time to time by notification by beat of drum and by public notice in the ~~District~~ official gazette, prohibit the sale, or exposure for sale, of any article in or upon any specified public road or place or part thereof and may, in like manner, suspend or modify such prohibition.

5

Penalty for selling after prohibition

(2) Whoever after such notification sells or exposes for sale any articles in any such road or place after the time of such notification, shall, on conviction before a Magistrate, be liable to a fine not exceeding Rupees ten."

Leg 7 43 of 1911 (6)

Statement of Objects & Reasons

There is no provision in the existing law to regulate the sale of objectionable food stuffs and other articles in public places and roads in rural and non-municipal areas. It is therefore intended to insert a new section after section 7 of the Local Boards Regulation. The Draft Section is based on Section 17K of the Madras Local Boards Act of 1884.

C87

6

G.R.S. 13]

## Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

THE RESIDENT MYSORE

BANGALORE.

Dated the March 1909

I am desired to acknowledge, with thanks, the receipt of a copy of the bill to amend the Mysore Local Board's Regulation, 1902 (II of 1902), forwarded with your D.O. letter No. 1512/2 dated the 27th February 1909 and to state, in reply, that the Resident sees no prima facie objection to the measure being placed before the Mysore Legislative Council. The question of the advisability of stating explicitly whether the powers to be conferred by the proposed Sec. 7-A. should be exercisable by a District Board, Taluk Board or Panchayet or by two or morecof them, will doubtless be considered in Council.

2. A further communication will be made as regards the Mysore Small Cause Courts Bill.

Yours sincerely,

T Cuyler

V. P. Madhava Rao, Esq., C.I.E.,
Dewan of Mysore,
Bangalore.

N.B.—Should routine notes be written on sm
slips, the notes must be copied, or sli
pasted on this form.

Submitted for information
MAT 26.3.09
The Resident's suggestion will be noted & brought 26/3 before the Meeting

GPB—30,000—23-2-11

G.R.S. 13]

Leg 2 43 9/10-11

8

## Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

4 In view of the above it may become necessary to substitute the word "District Board" for "Local Board" in but no action can or need be taken now. The matter is for consideration in the Council

Submitted to Vth Co for information

Sd inggunna.

29/3/09.

Seen. Proceed.

Commander Navy

30/3/09

Seen the Printers to be done in due course.

10329 29/3/09

17/4/09

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—45,000—19-5-08

6 Legal Draftsman's note with reference to the Bill in connection with File No 271 of 05—06 re the question of empowering Local Boards to prohibit sale of meat on public roads raised in connection with the Complaints received against maintaining slaughter-house in Iravanabelagala and which led to the passing of the Bill in question. ——

8

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—80,000—23-2-11

G. R. S. 12]
General and Revenue
Secretariat.

~~Jr~~ Mis 126
Legis File No. 43 of 1900-11 9

Serial No.

d B. file
2/4/05.

(1) I have perused the whole of this file the more I consider the less expedient it seems to me to pass a wide rule to this effect.

(2) Can you let me see the Stt of objects & reasons with which the Madras ~~Regulation~~ addition to L B^{rs} Act was made

(3) Please also let me have copies of the Madras & Mysore L B^{rs} Act & Regns with Rules I wish to see whether this provision logically goes into the Regulation?

(4) If Sravanen Belagula deserves this protection on the score of religious belief it must be taken up ~~as~~ on that ground alone & decided on merits. It is being an inam village specially granted for conserving it as a place of Pilgrimage to Jains is a point in its favour. But how do other places fare? Such e.g. as Sringeri, Kunchanur, Nanjangud &c?

West Sec^y
Legs. Br.

NOTE—Contn. sheet.

GPB—50.000—18-5-08

18/4/09

G. R. S. 12]
General and Revenue
Secretariat.

Miss 124

Legn. File No. 43 of 1900-11

10

| Serial No. | |
|---|---|
| | 1) The Statement of Objects & Reasons relating to the amendment of Madras Local Bds Regulation Act 4 of 1884 is published in the Ext. Sl. Sanga Gazette supplement dated the 12th March 1898. Both the proceedings in which requisition was sent in this matter, has stated that the Volumes cannot be removed from the Gazette Room without the Registrar's orders. |
| | 2) 4 Copies of the L. F. Manual containing Madras Local Boards Act and Rules is submitted with a Copy each of the Mysore Local Boards Regulation and rules framed thereunder. |
| | Submitted for further orders. |
| | 20/4/05 |
| | To the Registrar for kindly directing the S.R. to send over the Gazette volume for Submission to the 2nd Councillor. |
| | 22/4 |
| | To the Supdt. of Govt. Records for Compliance. He should have promptly complied with the requisition in Bar III |
| | 22/4 Copy. |
| | Result with the Gazette 27/4/05 |

Requisition retained in the Records

NOTE—Contn. sheet.

GPB—50.000—18-5-08

Serial No

I will be seen that the provisions were inserted in the Madras act, in the course of a Comprehensive Amending Act

23/4/09

2nd Councillor)

15A

There is nothing in the statement of Objects & Reasons, except the remark, "In fact these powers are now generally exercised, though not always with legal sanction" which refers to the general Powers Control markets, slaughterhouses & Cart Stands. (See Ss. 117A to 117Z of the Madras Act). 117K as it stands refers to "any specified road or place or part thereof". But the original draft (Cl 117 I) mentions only "any specified road or part thereof". Can the Office trace at what stage & for what reason 'place' (which means in the context

NOTE—Contn. sheet.

GPB—50,000—13-5-08

Serial No.

'public place' was introduced?

Our Regulation is much less
more restricted in its scope
than the Madras Act, and if
we amend it as proposed we
shall be inserting a simple (&
not very important) provision
of this kind in it

H. H. Risley
S/A
27/4.

27/4/01

Secy 27/4 LD

Secy. The amendment was made by the Select Committee for the consideration of the Bill (2 of 1898), in order to extend the scope of the Section to public places other than roads with a view to prevent sellers from avoiding public markets or evading the payment of fees" (vide Statement of Objects & Reasons Bengal Gazette 1/6th March 1901)

K.G.

20 SW
28/4/01

28/4/01

H. H. Risley

2nd Council

(with the file)

2/5/01

NOTE—Contn. sheet.

GPB—50,000—18-5-08

G. R. S. 12]
General and Revenue
Secretariat.

Leg File No. 43 of 1910-11

15

Serial No.

If any bill or other paper is pending in this connection, please send the file with this note. The Gazette marked 8 & 9 may be removed as the words we want are covered in the note.

H V Nanjundayya
29/5/09

29/5/09

Sd
28/5/09

Sd with Mr. Fils.

No
29/5/09

SN
28/5

29/5

Sd.

2nd Councillor).

(23)

11. I am not for inserting this simple provision in the L. Bds Regulation for serving the need of a single village like Seevana Balapula. If we alter the scheme of the L. Bds Regulation, we should introduce many more provisions like those contained in Ss 117A & 172 of the Madras Act & think the matter may be dropped.

13

11.7 (Wood) 11
16/6/09

H V Nanjundayya
12/6/09

NOTE—Contn. sheet.

GPB—50,000—15-5-08

13

G.R.S. 12]
General and Revenue
Secretariat.

File No. 43 of 1908-11 (14) &

Serial No.

12 Please circulate to the Prot Consultn - Perhaps there can be no harm in rdg 117 A & 2? Amandra Grey Dfas

9/6.
9/6/09

13 There was a reference from the Residency anent a Complaint to the effect that an unlicensed meat stall had been opened just beyond the Cantonment boundary in opposition to the licensed Contractor in the C & M station. The Durbar was unable to interfere in the matter and promised to amend the law. Please put up this file

Flag Y

14

14 Please see sec 48 (1) a & b Municipal Regulations. sections 117 A & 117 (2) of the Madras Local Boards Act & sec 152 A of the same Act

NOTE—Contn. sheet.

GPB—50.000—18-5-08.

G. R. S. 12]
General and Revenue
Secretariat.

15 7

Leg File No. 43 of 1910-11

Serial No.

Flag W

On what Act or Acts was the Mysore Local Boards Regulation based & Why were sections 117 A & 2 and 152 A of the Madras Act left out?

15 I quite see the force of the Councillors' objection to include 117 K as a solitary provision in our Regulation.

16 The necessity for regulating & controlling mubafarkhanas markets, slaughterhouses, cart stand burial & burning grounds offensive trade, sale or exposure for sale of any article may now be considered both in the Local Boards & Legislature Branch and a note put up by each branch discussing the question.

15

H. Nuttamma
Secretary

Upadhyaya

18 Hathaway B.K.[illegible] for a note

24/1/19

Note—Contn. sheet

GPB—50,000—25.2.07

(16)

Serial No.

Submitted.

(R in file 5460/08 Sl 1 to 4)

The file referred to by the 1st Councillor in para 14, page 6 of the office notes is herewith put up.

Vide Para 14

16. The Mysore Local Boards Regulation, II of 1902 is based chiefly on the Acts relating to Local Boards that were in force in the Central Provinces, the North-Western Provinces and Oudh and the Madras Presidency when the draft Regulation was drawn up.

Chiefly Central Provinces

Sd

Vide The Local Fund Manual for Cr. 352, 367, 444

19 Sections 117A to Q and 152A of the Madras Act were introduced by Act VI of 1900. Probably on account of this, these sections have been left out in the Mysore Local Boards Regulation the draft of which was prepared prior to the passing of the Madras Amending Act of 1900 and submitted for orders.

Sd

16

MTS 28.6.09 28/6/09

Returned 28-6-09

20. The references asked for are forthcoming.

Flag O

(1) The new Municipal Regulation of 1906 empowers all Municipal Councils to frame, with the previous sanction of

NOTE—Contn. sheet

17

Serial No.

Govt. bylaws on various matters including all those referred to by the Addl Councillor in his note of 24th June

(2) In areas outside the limits of a Municipality the Local Boards Regulation & the Village Sanitation Regn. alone Come into operation. The former contains no provisions similar to the one now under consideration viz power to regulate the sale of meat and other food stuffs, to regulate the location of markets generally and of burial grounds and burning ghats.

(3) The Village Sanitation Regulation and the rules framed thereunder are a little fuller as they provide for the regulation of the sale of food stuffs (including meat etc) and the location of places for the disposal of the dead But still they do not provide for the "regulation of markets", though clause (d) of Sec 3(1) of the Regulation appears to confer power on Govt to make appropriate rules for that purpose also. Perhaps it is quite unnecessary to add to or amend this Regulation & the rules framed

N

17

NOTE—Contn. sheet.

GPB—50.000—13-5-08

Serial No.

under
it in case the Local Boards Regulation
is amended by including not merely
117 K of the Madras Act but all the
other Sections connected with it viz 117 A-
to 117 J and 62 A.

(3) The result is:—

(a) No fresh legislation is necessary
so far as Municipal areas are
concerned. (Special rules under
the authority of the Mines Regulation
are being framed for the K. G. F. Area
which is not a municipality)

(b) It will be enough if the Local
Boards Regn.ⁿ is amended as
suggested above. This will obviate
obviate the difficulty pointed out
by the 2nd Cr about ~~including~~ adding
Solicitor provision which does not
logically go into the Scheme of
the L. B. Regn.ⁿ.

~~(c) Application to cancel~~
~~for Municipal areas which do not~~
~~under the rules of the Mines~~
~~Notification Regn.ⁿ~~

18

4/1909

23 L. B. IV Please see Councillors note

G. R. S. 12]
General and Revenue Secretariat.

Reg File No. 43 of 1906-7

Serial No.

para - of 24.6.09.

24 Submitted for orders.

24 It is suggested in the note of Br III that sections 117(A) to 117(Q) and 152(A) of the Madras Local Boards Regulation may be introduced into our Local Boards Regulation. Instead of incorporating so many sections, it seems preferable to frame a general section somewhat similar to sec 68 (1) (a) and (b) of the Municipal Regulation of 1906 and empower the District Board to frame rules with the previous sanction of Govt in respect of the several matters referred to in sections 117(A) to 117(Q) and 152 of the Madras Act.

25 Please put up a draft amending Regulation on the above lines.

16.9.09.

23 Draft amending

NOTE—Contd. sheet.

GPB—50.000—13-5-08

G. R. S. 12 ]
General and Revenue Secretariat.

File No. 43 of 1910-11

| Serial No. | |
|---|---|
| 23 | Draft Amending Regulation as revised by the Hon'ble Secretary is submitted<br>HM 25-9-1909 HM 25/9 Please put up a fair draft<br>S. 30/9/09 HMM<br>Fair draft is submitted<br>HM 5-10-1909 HM 5/10 28. Forwarded to Br III for remarks on the amending draft regulations proposed<br>5.10.09 K Nyan HMM<br>Submitted for orders<br>Legis 6/10 DRJ-SH 6.10.09 |
| 24 | I concur with Mr Nyan Ran that a Comprehensive amendment like the one now put up meets all cases. The provision regarding heavy traffic (which is discussed in the linked file) will also go with this<br>12/10/09 SH in January |
| 25 | Submitted with the Staff objection and reasons.<br>HM 20/10/1909 |

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12 ]
General and Revenue
Secretariat.

FILE NO. 43 OF 1909-11

Serial No.

The draft ordinance amending Regulations together with a revised statement of objects and reasons submitted - Secy, I 15.11.09 HWW
K.M. Panikkar

27 I have made a few changes here & there. The draft ordinance & the statement of objects & reasons may be sent to the Govt. of Madras & Govt. of Bombay for their views. Subsequently the draft may be published in the Fort St. George Gazette & the Bombay Government Gazette. HWW 17/11/09

1st C/S 17.11.09 HWW

I generally approve of the proposed Draft Amendment & statement of objects and reasons. HWW 21/11/09

2nd C/S

2329 7.12.09

C&S 4/12/09 HWW 4.12

Please see 2 or 3 queries noted by me on the margin of the new draft. It may be published after due approval. Please type in half margin & submit for decision. HWW 3/5/10

Note—Contn. sheet

GPB—55,000—27-4-09.

J. R. S. 12 ]
General and Revenue
Secretariat.

File No. 3 of 1910-11

Serial No.

Typed draft subd

SV
2/6/10

SO

Forwarded to Bd of Revenue

file is being dealt with

4/6/10

submitted

4.6.1910 2nd Or are noted suspense

on the margin of the typed dr

4.6.10



GPB—55,000—27-4-09

Ag 2-43 g-78-11

*Submitted to His Highness.*

I submit herewith a draft Bill to amend the Mysore Local Boards Regulation, together with a statement of objects and reasons. The Bill is intended to empower District Boards to regulate the use of markets, cartstands, hotels, burial and burning grounds, slaughter houses &c., and to control heavy or unwieldy traffic on roads. The bill and the draft of the D.O. letter to the Residency, intimating that it is proposed to place the bill before the Legislative Council in due course, may be approved.

(2.) Some of the provisions of the Bill are probably too elaborate for non-municipal areas, to which alone the Local Boards Regulation applies. But the proposals have been very long under discussion, and the necessary modifications and amendments may be left to the Select Committee which the Legislative Council will appoint.

T. Ananda Rao
Dewan

Leg & Jud Dept-II

(24

**Record of Cases submitted for the Orders of His Highness the Maharaja.**

DATE 28-6-10
NO. 1300

*Subject.*

Draft Bill to amend the Mysore Local Boards Regulation.

21

*Order.*

Approved
~~K R W~~
2/7/10

Secy
Leg & Jud Dept
(with spare copy of the D.O. for Law)

1/7/10

6/7/10

6/7/10

7/7/10

G. R. S. 12 ]
General and Revenue
Secretariat.

Leg File No. [illegible] of 1910-11

(25

| Serial No. | |
|---|---|
| | Letter to the Secretary Council |
| 1 | D.O letter No. 587 & the 7th June 1910 fr. the Secretary to the Govt. |
| | Forwd. the Bill and states that it will be placed before the Legislative Council in due course |
| 2 | D.O. No. 4580 of 30th May 1910 from the Hon'ble Mr. Grey Hayes, to the Secretary |
| | States that the President sees no objection to the Bill being laid before the Legislative Council. |
| | Submd. The Bill may perhaps be included in the agenda for the next meeting of the Legislative Council, as a Statement has already been issued of business to be transacted at the ensuing meeting of the Council. The Member who is to take charge of the Bill has also to be decided. — Dalton |
| | 3/8/10 |
| | 3/8/10 |
| | As ordered below, the Bill was published under Rule 32 of the Legislative Council Rules and was introduced before the Council at the meeting held on the 22nd November 1910 |

Written in Letter 75 dated 3/8/10

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12 ]
General and Revenue
Secretariat.

Legs File No. 63 of 1910-11

(26)

Serial No

When it was referred to a Select Committee of Consideration. The report of the Select Committee and the Bill as amended by them both were considered at the meeting of the Council held on the 27th April last. The Bill as amended having been adopted by the Council the Sanction of the Secretary of State has to be obtained for its being passed into law. I have the honour to submit a draft of the Bill as amended for approval

21/6/11 (25) (11)

39. 21/6/11

2nd

24/6/11

12227

27.6.11

26

Draft approved by Dewan 28.6.

Issue

15/7/11

30/6/11

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12 ]
General and Revenue Secretariat.

Legis File No. 43 of 1910-11

| Serial No. | |
|---|---|
| 3 | No 806 dated 10th July 1911<br>To the F. A. Resident<br>Forwards two copies of the Bill as adopted by the Legis. Cl. and requests that the sanction of the Govt of India may be obtained for passing the same into law. |
| 4 | No 4661 dated 5/8/11<br>From the F. A. Resident, Bangalore<br>Conveys the sanction of the Govt of India for the Bill being passed into law under the usual reservation of power to veto. |

43 Submitted
7/8/11 (S.S.) S.N.(11) 8/8

This will be noted for inclusion in the Agenda for the next meeting.

Subdtr, 1st Asst & Dewan for inf.

12/8/11 9/8/11

Dewan's order
Approved
16/8/11

130(4)
16.8.11

17-8-11 15/8/11

NOTE—Contn. sheet.

GRB—50,00.—12-8-10

(28

G. R. S. 12]

General and Revenue Secretariat. Leg File No. 43 of 1910-11.

Serial No. 28

The Bill has been finally approved by the Legislative Council. The sanction of His Highness the Maharaja has now to be obtained for it's being promulgated as law. Submitted with the usual Copy. for the Dewans Signature.

7/9/11 SW(III) 15/9

20/9/11. S Srinivasa Iyengar
Secy.

Dewan

13700/21-9-11

CS Balasundaram
20/9/11

SB 20/9/11

(45

NOTE—Contn. sheet.

GPB—5,000—26-6-11

Dy 743 of 1910 (29)

*Submitted to His Highness.*

Draft for approval 29

W

The draft bill to amend the Mysore Local Boards Regulation submitted with my note dated 7th June 1910 was placed before the Legislative Council in November 1910, and, with certain amendments made in Select Committee, has been finally adopted by the Council at the last meeting. The sanction of the Government of India has also been received.

2. I now solicit sanction to the bill being promulgated as law.

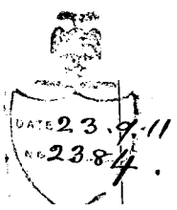
In

29

dg43 9/10-4 (3D

**Record of Cases submitted for the Orders of His Highness the Maharaja.**

***Subject.***




Promulgation of a draft bill to amend the Mysore Local Boards Regulation as law in Mysore.

2/4

***Order.***

20 Sanctioned
~~KKW~~
27/9/11

Secy
Hon
Dewan

41. Secy
Mysore
Mysore
Dewan

30 KKW 29/9/11

29/9

G. R. S. 12]

General and Revenue Secretariat.

dg File No. 43 of 1910-11

343

Serial No.

42 Draft of an order directing the publication of Mr Hill as Law (Regulation No X of 1911) is put up for approval.

7/10/11

43. D Shee

Let the Law be published

D Shee 7/10/11

7/10/11

5 No J 1130 dated 9/10/11 to the compiler Mysore Gazette orders the publication of the Bill which received the assent of H. H. the Maharaja on the 27/10/11 as Regn X of 1911.

Mysore Gazette 8 19/10/11 Part III Page 417

44. Submitted

Spare Copies have been received from the Press and have been compared with the original. Copies have to be sent to the Residency as usual. A draft letter is herewith put up. Orders are also solicited as to whether Spare Copies may be sent to the Presidents of the Local Boards of each Dt.

31 D Shee

4/11

27/10/11 SNC(11) 28/10/11

4/11/11

9/11/11

NOTE.—Contn. sheet.

GPB—5,000—26-6-11

G. R. S. 12 ]
General and Revenue
Secretariat.

Legis File No. 43 of 1910-11 (82

| Serial No. | |
|---|---|
| 6 | To the D.A. Resident<br>No Pol. 403 dated 7/11/11<br>Forward 9 spare copies of the Regulation<br>~~copies of the Regn. was~~<br>Please see Legis 2 of 1911-12 for copies of<br>the Regn sent to the Presidents of the<br>Dt Boards.<br>(S)<br>13/11/11 |

82

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Parts detached - papers to separate correspondence

Correspondence

1943/20-11

R

(1)

D. O. No. 987/En 2

dated the 4th July 1910 from the Secretary to the Government of Madras, Public (Medical) Department, to the Hon'ble Sir Harvey Adamson, K.C.S.I., Officiating Member of Council, Legislative Department.

I am directed to forward herewith a copy of a letter from the Director of Public Health, No. 1782 dated the 26th March 1909, on the subject of placing before the Legislative Council a bill to amend the Madras Local Boards Act, 1884, with a view to enable Local Boards to prohibit the sale of objectionable foodstuffs and other articles in public places and on public roads? On further consideration it was thought undesirable to bring in a Bill for the purpose of making a solitary provision of the kind, based on Sec. 117 K of the Madras Local Boards Act, V of 1884, without at the same time inserting similar provisions in regard to similar matters, such as the regulation of markets, slaughter-houses, cart-stands, etc., as are found in Sections 117 A to 117 Q of the Madras Act.

2. The accompanying draft Regulation has therefore been prepared to provide for the regulation and control by District Boards of municipal markets, slaughter houses, hotels, cart-stands, burial and burning grounds and places used for carrying on offensive and dangerous trades, for the prevention of nuisances affecting public health or in regard to water supply, or

C 3

for the control of heavy or unwieldy traffic on roads. As explained in the Statement of Objects and reasons the draft is based on various provisions of the Rangoon Municipal Regulation, the Madras Local Boards Act, and the Bengal Municipal Act.

3. His proposed to place the bill before the Legislative Council in due course.

Yours sincerely

(Sd.) [illegible]

The Hon'ble Mr. J. M. Fraser C.I.E.,
President in Rangoon

(2)

Patrick herewith

10

A Bill to amend the Mysore Local Boards Regulation, II of 1902.

Whereas it is expedient to amend the Mysore Local Boards Regulation, II of 1902; H.H. the Maharaja is pleased to enact as follows:-

Short title.

1. This Regulation may be called "the Mysore Local Boards Regulation Amendment Regulation, 19[illegible]."

Amendment of clauses (5) and (6) of Section 20.

2. In section 20 of the Mysore Local Boards Regulation II of 1902, there shall be inserted,—

(i) at the end of clause (5), the words "including tolls and fees leviable under Section 31 (A)(1)(g)" and (ii) in clause (6) the words "or for any of the purposes specified in Section 31 A (i)(b)" after the words "in a Union".

Addition of a new section.

3. After Section 31 the following section shall be added viz. —

Power of District Board to make bye laws.

"31 A (1) The District Board may from time to time, with the previous

~~Dis 2 630/10-11~~ (4)

sanction of Government and with reference to the varying circumstances of different areas subject to its authority, make, alter or rescind by-laws, but not so as to render them inconsistent with this Regulation or with any other general or special law

cf. Section 350 of the Bengal Municipal Act.

for markets, slaughter houses, etc.

cf Sec. 48 (i)(a) of the Mysore Municipal Regulation.

(a) for the general or special regulation, inspection and control of Musafirkhanas, markets, slaughter houses, all places used by or for animals which are for sale or hire or the produce of which is sold, all places used for offensive or dangerous trade, cart stands and burial and burning grounds, as also for ~~prop~~ regulating the conduct of business therein and for fixing the rents and other charges to be levied for the use of any of them which belong to the District Board;

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for licensing, regulating and inspecting certain business.

cf Sec. 48 (1)(b) of the Mysore Municipal Regulation.

(b) prescribing the conditions on or subject to which and the circumstances in which and the areas

areas or localities in respect of which, licenses may be granted, refused, suspended or withdrawn for the use of any place not belonging to the District Board,

(i) as a slaughter house;

(ii) as a market or shop for the sale of animals intended for human food or of meat or of fish or as a market for the sale of fruit or vegetables;

(iii) as a cart-stand;

(iv) for any of the purposes mentioned -- hereunder:-

(1) for boiling or storing offal, blood, bones or rags;

(2) for salting, curing and storing fish;

(3) for storing hides, horns or skins;

(4) for tanning;

(5) for the manufacture of leather or --- leather goods,

(6) for dyeing;

(7) for melting tallow or sulphur;

(8) for washing or drying wool or hair,

(9) as a brick, pottery or lime kiln;

(10) for soap making;

Leg F. 43 1910-11 (6)

(11) for oil boiling;

2nd Cr. "why this" place is sago made in Mysore?"

(12) as a manufactory of sago;

(13) as a distillery;

(14) for storing hay, straw, fodder, wood, coal or other combustible material;

(15) as a manufactory or place of business of any other kind from which offensive or unwholesome smells arise or which may involve risk of fire;

prescribing the fees payable in respect of such licenses and providing for the inspection and regulation of the conduct of business in any place used as aforesaid so as to secure cleanliness therein or to minimize any injurious, offensive or dangerous effect arising or likely to arise therefrom;

For prohibiting use of other than public or licensed markets, slaughter houses etc.

Cl. sec. 159(1) the Mysore Municipal Regulation.

(c) directing that no place shall be used as a market or shop for the sale of animals, meat, fish, fruit or vegetables intended for human food or as a slaughter house or as a cart stand or as a burial and burning ground or for carrying out any of the purposes mentioned in sub-clause iv of clause

clause (b), excepting the public markets or slaughter houses or cartstands or burial and burning grounds constructed and opened or plac set apart for carrying out any of the purposes mentioned in Sub clause IV of clause (b), by the District Board, or such other markets, or slaughter houses or cart stands or places for carrying out any of the purposes mentioned in sub clause IV of clause (b) as may have been licensed in writing by the District Board;

For Inspecting Hotels. etc.,

(d). providing for the inspection of hotels, bakeries, sweetmeat shops and other places for the sale of articles intended for human food or drink other than those mentioned in clause (b) and for securing the cleanliness of such places and the wholesomeness of the articles prepared, kept or sold therein;

Cf.Sec.48 (i) (c) of the Mysore Municipal Regulation.

For preventive nuisances in regard to water supply.

(e). regulating the use of and the prevention of nuisances in regard to public water supply bathing and washing places, streams, channels, tanks, and wells;

Cf.sec.350 of the Bengal Municipal Act.

For preventing nuisance to public health.

(f). preventing nuisances affecting the public health, safety or convenience;

For controlling unwieldy traffic.

(g). prohibiting the transit of any vehicles.

vehicles of such form, construction, weight or size, or laden with such machinery or other unwieldy objects as may be deemed likely to cause injury to the roadway, or to any construction thereon or risk or obstruction to other vehicles or to pedestrians, along or over any road except on payment of such fees or tolls and under such conditions as to time, mode of traction or locomotion, use of appliances for protection of the roadway, number of lights and assistants and other general precautions as may be prescribed, either generally or in special licenses to be granted in each case;

Cf.sec.48 (1) (v) of the Mysore Municipal Regulation.

2nd Cr. "Is this general provision necessary"

(h). for carrying out all the purposes of this regulation

For regulating District Board Administration.

Cf.sec. 152A of the ~~Bengal Municipal~~ Madras Act.

I n f r i n g m e n t .

And the District Board may by such bye-laws impose on offenders against the same such reasonable penalties as they think fit not exceeding the sum of fifty rupees for each offence, and in case of a continuing offence, a further penalty not exceeding ten rupees for each day after written notice of the offence by the District Board.

Cf.sec.350 of the Bengal Municipal Act.

Aug 7 43 10-11

District Board.

Publication of drafts of proposed bye-laws.

(2.) The District Board shall, before making any bye-laws under this section, publish in such manner as shall in their opinion be sufficient, for the information of the persons likely to be affected thereby, a draft of the proposed bye-law, together with a notice specifying a date on or after which the draft will be taken into consideration and shall, before making the bye-law, receive and consider any objection or suggestion with respect to the draft which may be made in writing by any person before the date so specified.

Cf-Section 48 (2) of the Mysore Municipal Regulation.

Objections and suggestions to be submitted to Government.

(3) When any bye-law made by the District Board is submitted to Government for sanction, a copy of the notice published as aforesaid and of every objection or suggestion so made, shall be submitted for the information of the Government along with the said bye-law.

Cf-Section 48 (3) of the Mysore Municipal Regulation.

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8. Leg 2 43 of 10-11 (19)

Government may sanction any bye-law or cancel its sanction. C/ Section 351 of the Bengal District Municipality Act.

(4) The Government may sanction any such bye-law with such modifications as it may think fit, and may at any time cancel or withdraw its sanction to any such bye-law and thereuopn the bye-law shall cease to have effect.

Statement of objects and reasons.

In the Local Boards Regulation II of 1902, no provision is made for the regulation and control by the District Boards of Musafirkhanas, markets, slaughter houses, hotels etc, cart stands, burial and burning grounds places used for carrying on offensive and dangerous trades and the like or for the prevention or nuisances with regard to water supply and nuisances affecting public health or for the control of unwieldy traffic. The Village Sanitation Regulation, I of 1898 and the rules framed thereunder provide for the regulation of some of these matters but they are found not

41

9. Leg 7 43 of 10-4 (11

not to be sufficiently comprehensive or adequate to meet all cases that may arise. The object of the present measure is to give District Boards powers in regard to the matters specified above similar to those conferred on Municipal Councils by Regulation VII of 1906. The bye-laws, which may be framed by District Boards under the new provision, will be supplementary to the Rules issued under the Village Sanitation Regulation.

Clause 3 which is the most important clause in the Bill has been drafted after consulting the following analogous provisions:-

1. Sections 48 and 139 of the Mysore Municipal Regulation, VII of 1906.

2. Section 152 A. of the Madras Local Boards Act V of 1884 as amended by Acts III of 1890 and VI of 1900.

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3. Sections 350 and 351 of the Bengal Municipal Act III of 1884 as amended by Acts III of 1886 and IV of 1894

Wills

Legis 43 of 1910-11

D.O. No. 7/1261 Serial 2

THE RESIDENT MYSORE

BANGALORE.

dated 30th July 1910.

Pol. 188 8/31.7.10

Major Griffiths, Officiating Chief Secretary to Government, Mysore

To T. Ananda Rao, Esq., B.A., C.I.E., Dewan of Mysore.

Serial 2

I am desired to acknowledge the receipt of your D.O. letter No.987, dated the 4th July 1910, forwarding a copy of a bill to amend the Mysore Local Boards Regulations, II of 1902, and, in reply, to state that the Resident sees no prima facie objection to the Bill being laid before the Legislative Council.

I have the honour to be,
Sir,
Your most obedient servant,

W. Griffiths Major,
First Asst. Resident.

T. Ananda Rao, Esq., B.A., C.I.E.,
Dewan of Mysore.

K.M.

45

A. Legs 43 of 1910-11
Serial 3

DRAFT

To

(32)

The Resident in Mysore

Bangalore.

Bangalore, 10th July 1911.

Pub No. 361 Revising

Sir.

I am directed to forward herewith a Bill to amend the Mysore Local Boards Regulation 1902, and to state as follows:-

2 This Regulation which was enacted in 1902 has been found to be not sufficiently comprehensive to provide for the needs and requirements of non-Municipal areas in the matter of Sanitation, control and regulation of offensive trades, regulation of heavy traffic and such other matters. As the Municipal Regulation cannot apply to such localities, the only provision of law besides the Local Boards Regulation under which action can be taken by the authorities in sanitary matters, is the Village Sanitation Regulation of 1898. But even this is an exceedingly meagre enactment and does not empower

Leg/+ 43 of 10-11 (3)



empower the Government to frame rules, for example, for the regulation of Musafirkhanas slaughter houses and cart-stands. It has, therefore, been found necessary to amend the Local Boards Regulation so as to provide comprehensively for all the matters referred to above.

3. The necessity for this amendment has actually arisen in some places in the State. For instance a large majority of the people of Sravana-belagola in the Hassan District belong to the Jain persuasion and they have several times petitioned the Government that the location of the slaughter-houses in places which are particularly objectionable to local sentiment should not be permitted. It was found that restrictive action in the matter could not be taken in the absence of the requisite legal authority. Again, cases have arisen where sale of articles otherwise liable to the control of a local body such as a Municipality has been carried on by persons just outside a Municipal area, thereby evading the Municipal Regulations and also interfering

prevention of nuisances in respect of water supply and public health generally.

46

4. The occasion has also been utilized to provide for another matter, namely, the control of unwieldy traffic on roads within the jurisdiction of a District Board. Instances have occurred recently ~~where~~ heavy

interfering with the legitimate custom of properly licensed vendors of such articles within Municipal limits. There is no means now of reaching such people through the law. Having regard to these circumstances, the Durbar have considered it desirable that power should be given to the District Boards to frame such bye-laws as may by them be deemed necessary in regard to the regulation, inspection and control of Musafirkhanas, markets, slaughter houses, places used for carrying on dangerous or offensive trades, cart stands, burial places and burning grounds, for the inspection of hotels ~~and~~, bakeries, sweetmeat shops and other places intended for the sale of human food or drink and for the

Leg A 43 of 10-11 (35

heavy traction engines ~~have been made~~ being made
ply in certain places, causing consider
damage to the roads and culverts and i
convenience and danger to the public.
is felt that some control over the use
public roads for such purposes is nece
and it is therefore proposed to prohit
the transit of unwieldy vehicles that
be deemed likely to cause injury to t
roadway or to any construction thereo
or risk or obstruction to other vehic
or pedestrians; except on payment of
gulated fees or tolls and on the ob
servance of such conditions as to tim
mode of traction, lights and such gen
precautions as may be prescribed gene
ly or specially in regard to such cas
Although ~~that~~ ~~the~~ several of the pro
sions of the Bill will not be utiliz
by many of the District Boards in the State
~~that~~ though some of them will have only a very
restricted local application, the Dur-
bar consider it desirable that such
comprehensive provisions should find

47

5. Leg 2 43 910-11 (36

a place in the Local Boards Regulation so as to enable a District Board to take action under such of the provisions as may be deemed necessary with reference to its particular needs without the necessity of having recourse to fresh legislation.

6 I am to add that the changes now to be enacted are to be found in the corresponding enactments of British India ~~principally~~ and in the Municipal Regulation in force in the State ( Sections 48 and 139 )

(Please see Sec 15-2A of the Madras Local Boards Act and 350 & 351 of the Bengal Municipal Act, III of 1884)

7. It will be seen that the amending Bill is only of an enabling character and that it is not incumbent on any District Board to take action under these clauses unless it finds a clear necessity to do so. Proper safeguards have been devised against unwise or hasty action by any District Board by rendering it necessary that the 8 drafts of all bye-laws intended to be framed by the District Boards ~~being~~ should first be published and criticism invited and considered and ~~if any received, duly consider and~~ by declaring that ~~further~~ these bye-laws 9 cannot acquire the force of law until they are

48

Leg I 43 9/10-11 (37)

are sanctioned by Government who ~~is empower-~~ Can ~~ed to~~ make such modifications in them as to them may appear desirable or proper.

6. The Bill was considered by a Select Committee of the Legislative Council and has also been adopted by the whole Council.

7 I am now to request that the sanction of the Government of India may be kindly obtained for the Bill being passed as Law.

I have &c.,

Secretary,

49

A.V.

# A Bill to amend the Mysore Local Boards Regulation, II of 1902.

~~(As adopted by the Legislative Council.)~~

Whereas it is expedient to amend the Mysore Local Boards Regulation, II of 1902; His Highness the Maharaja is pleased to enact as follows:—

1. This Regulation may be called "The Mysore Local Boards Regulation Amendment Regulation, 19 — Short title.

2. In section 20 of the Mysore Local Boards Regulation, II of 1902, there shall be inserted, (i) after clause (5), as clause (5) A, the words "tolls and fees leviable under section 31 A (1) *(g)*," and (ii) in clause (6) the words "or for any of the purposes specified in section 31 A (1) *(b)*" after the words "in a Union." — Amendment of clauses (5) and (6) of section 20.

3. After section 31, the following section shall be added, *viz.*,— — Addition of a new section.

"31 A (1) The District Board may, from time to time, with the previous sanction of Government and with reference to the varying circumstances of different areas subject to its authority, make, alter or rescind bye-laws, but not so as to render them inconsistent with this Regulation or with any other general or special law; — Power of District Board to make bye-laws;

(*a*) for the general or special regulation, inspection and control of musafirkhanas, markets, slaughter-houses, all places used by or for animals which are for sale or hire or the produce of which is sold, all places used for offensive or dangerous trade, cart-stands and burial and burning grounds as also for regulating the conduct of business therein and for fixing the rents and other charges to be levied for the use of any of them which belong to the District Board; — for markets, slaughter-houses, etc.;

(*b*) requiring licenses to be taken and prescribing the conditions on or subject to which and the circumstances in which and the areas or localities in respect of which such licenses may be granted, refused, suspended or withdrawn for the use of any place not belonging to the District Board— — for licensing, regulating and inspecting certain business;

(i) as a slaughter-house;
(ii) as a market or shop for the sale of animals intended for human food or of meat or of fish or as a market for the sale of fruit or vegetables;
(iii) as a cart-stand;
(iv) for any of the purposes mentioned hereunder:—
(1) for boiling or storing offal, blood, bones or rags,
(2) for salting, curing and storing fish
(3) for storing hides, horns or skins,
(4) for tanning,
(5) for the manufacture of leather or leather goods,
(6) for dyeing,
(7) for melting tallow or sulphur.

(8) for washing or drying wool or hair,
(9) as a brick, pottery or lime kiln,
(10) for soap making,
(11) for extracting oil by boiling,
(12) as a manufactory of sago,
(13) as a distillery,
(14) for storing hay, straw, fodder, wood, coal or other combustible material,
(15) as a manufactory or place of business of any other kind from which offensive or unwholesome smells arise or which may involve risk of fire,

prescribing the fees payable in respect of such licenses and providing for the inspection and regulation of the conduct of business in any place used as aforesaid so as to secure cleanliness therein or to minimize any injurious, offensive or dangerous effect arising or likely to arise therefrom;

(*c*) directing that no place shall be used as a market or shop for the sale of animals, meat, fish, fruit or vegetables intended for human food or as a slaughter-house or as a cart-stand or as a burial and burning ground or for carrying out any of the purposes mentioned in sub-clause (iv) of clause (*b*), excepting the public markets or slaughter-houses or cart-stands or burial and burning grounds constructed or opened or places set apart for carrying out any of the purposes mentioned in sub-clause (iv) of clause (*b*), by the District Board, or such other markets or slaughter-houses or cart-stands or places for carrying out any of the purposes mentioned in sub-clause (iv) of clause (*b*) as may have been licensed in writing by the District Board; — for prohibiting use of other than public or licensed markets, slaughter-houses, etc.

(*d*) providing for the inspection of hotels, bakeries, sweetmeat shops and other places for the sale of articles intended for human food or drink other than those mentioned in clause (*b*) and for securing the cleanliness of such places and the wholesomeness of the articles prepared, kept or sold therein; — for inspecting hotels, etc.

(*e*) regulating the use of and the prevention of nuisances in regard to public water-supply, bathing and washing places, streams, channels, tanks and wells; — for preventing nuisances in regard to water-supply;

(*f*) preventing nuisances affecting the public health, safety or convenience; — for preventing nuisance to public health;

(*g*) prohibiting the transit of any vehicles of such form, construction, weight or size or laden with such machinery or other unwieldy objects as may be deemed likely to cause injury to the roadway, or to any construction thereon or risk or obstruction to other vehicles or to pedestrians, along or over any road except on payment of such fees or tolls and under such conditions as to time, mode of traction or locomotion, use of appliances for protection of the roadway, number of lights and assistants and other general — for controlling unwieldy traffic

precautions as may be prescribed, either generally or in special licenses to be granted in each case.

Any person infringing any bye-laws made under this Regulation shall be punished with fine not exceeding fifty rupees for each offence, and in case of a continuing offence with a further fine not exceeding ten rupees for each day after written notice of the offence by the District Board. Infringement.

(2) The District Board shall, before making any bye-law under this section, publish in such manner as shall in their opinion be sufficient, for the information of the persons likely to be affected thereby, a draft of the proposed bye-law, together with a notice specifying a date on or after which the draft will be taken into consideration and shall, before making the bye-law, receive and consider any objection or suggestion with respect to the draft which may be made in writing by any person before the date so specified. Publication of drafts of proposed bye-laws.

(3) When any bye-law made by the District Board is submitted to Government for sanction, a copy of the notice published as aforesaid and of every objection or suggestion so made, shall be submitted for the information of the Government along with the said bye-law. Objections and suggestions to be submitted t Government.

(4) The Government may sanction any such bye-law with such modifications as it may think fit, and may at any time cancel or withdraw its sanction to any such bye-law and thereupon the bye-law shall cease to have effect." Government may sanction any bye-law or cancel its sanction.

DIARY No. 1389

FROM,

P. B. WARBURTON, Esq., I. C. S.,

FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

1911-1912
Legislation
FILE No. 43 of 1910-11
SERIAL No. 4

To

The Dewan of Mysore.

*Dated Bangalore, 5th April* 191

SIR,

I am directed to acknowledge the receipt of Mr. Balasundaram Iyer's letter No. 36, dated the 10th July 1911, forwarding, for the sanction of the Government of India, a draft of a Bill which the Darbar propose to enact to amend the Mysore Local Boards Regulation, 1902 (II of 1902).

2. In reply, I am to say that the Governor General in Council has accorded his consent to the draft Bill on the understanding that he retains over it the power and authority which vests in him by virtue of Article 19 of the Instrument of Transfer.

I have the honour to be,

Sir,

Your most obedient servant,

P B Warburton

First Assistant Resident.

R. O. 2 —R. P. B.—5-1911.—1,000.

G.R.S. 28 ]

Legis. File No. 43-10
Serial No. 5

*Diary No. of letter replied to*

*Proceedings of the Government of His Highness the Maharaja of Mysore.*

GENERAL AND REVENUE SECRETARIAT.
( )

REAL

*the* 19

Date of issue 9-10-11

Signed by Mr S Lakshminarasimha Rao

ORDER ~~THEREON~~.—No. ~~1180~~ 1130 dated the 5th
Read 5th Oct 11
That the accompanying
Bill to amend the Mysore Local
Board Regulation, II of 1902, wh
received the assent of His High
ness the Maharaja on the 27

*over.*

SUBJECT.

57

GPB—10,000—29-9-10

46

day of September 1911, be published
in General information, as
Regulation No X of 1911.

SH

For MS Secy to Govt

The Government Gazette, Mysore, forth
Copy of the Regulation, for publi
cation in Part III of the Gazette in
English & Canarese, & for supplying
this office with 200 Copies of the
Regn in Gazette size 100 Copies
of the Regn may then be made into
book form, 100 for distribution &
Sale. Sanctioned & 100 being reserved
for Volume I of the Mysore Code
Kannada translation will also then
Copy to be sent for approval before publication

Copy to the Translation
section for information

Mysore Gazette
8/19/10/11
Part III Page 417-0

RXV.
2
1/10/11

ab
Leg 7 43 of 20-11

G.R.S. 261 ~~0 A W~~ Legis

File No. 43-10
Serial No. 6

*Diary No. of letter replied to*

General and Revenue Secretariat

( )

*the* *19*

Date of issue 7-11-11

Signed by

To

Letter Pol. No. 403 dated the 7th November 1911 from the Secretary to Government, Legislative Department

The H. A. Resident in Mysore, Bangalore

Sir,

I am directed to forward herewith a copy of Regulation X of 1911, a Regulation to amend the Mysore Local Boards Regulation II of 1902, with 9 spare copies, and to request that a copy may, as usual, be forwarded to H. H. the Nizam's Gov

over.

SUBJECT.

S.G. 05

Yours

Sd/

for Secretary to Govt

S4

Sl (11)

28/10/11

Copy

Leg 2 43 of 10-11



REGULATION No. X OF 1911.

*(Received the assent of His Highness the Maharaja on the 27th day of September 1911.)*

## A Regulation to amend the Mysore Local Boards Regulation, II of 1902.

Whereas it is expedient to amend the Mysore Local Boards Regulation, II of 1902; His Highness the Maharaja is pleased to enact as follows:—

Short title.

1. This Regulation may be called "The Mysore Local Boards Regulation Amendment Regulation, 1911."

Amendment of clauses (5) and (6) of Section 20.

2. In Section 20 of the Mysore Local Boards Regulation, II of 1902, there shall be inserted, (i) after clause (5), as clause (5) A, the words "tolls and fees leviable under Section 31 A (1) *(g)*," and (ii) in clause (6), the words "or for any of the purposes specified in Section 31 A (1) *(b)*" after the words "in a Union."

Addition of a new section.

3. After Section 31, the following section shall be added, *viz.*,—

Power of District Board to make bye-laws;

"31 A. (1) The District Board may, from time to time, with the previous sanction of Government and with reference to the varying circumstances of different areas subject to its authority, make, alter or rescind bye-laws, but not so as to render them inconsistent with this Regulation or with any other general or special law;

for markets, slaughter-houses, etc.

(*a*) for the general or special regulation, inspection and control of musafirkhanas, markets, slaughterhouses, all places used by or for animals which are for sale or hire or the produce of which is sold, all places used for offensive or dangerous trade, cart-stands and burial and burning grounds as also for regulating the conduct of business therein and for fixing the rents and other charges to be levied for the use of any of them which belong to the District Board;

for licensing, regulating and inspecting certain business;

(*b*) requiring licenses to be taken and prescribing the conditions on or subject to which and the circumstances in which and the areas or localities in respect of which such licenses may be granted, refused, suspended or withdrawn for the use of any place not belonging to the District Board—

(i) as a slaughterhouse;

(ii) as a market or shop for the sale of animals intended for human food or of meat or of fish or as a market for the sale of fruit or vegetables

(iii) as a cart-stand;

(iv) for any of the purposes mentioned hereunder:—

(1) for boiling or storing offal, blood, bones or rags,

(2) for salting, curing and storing fish,

(3) for storing hides, horns or skins,

(4) for tanning,

(5) for the manufacture of leather or leather goods,

(6) for dyeing,
(7) for melting tallow or sulphur,
(8) for washing or drying wool or hair
(9) as a brick, pottery or limekiln,
(10) for soap making,
(11) for extracting oil by boiling,
(12) as a manufactory of sago,
(13) as a distillery,
(14) for storing hay, straw, fodder, wood, coal or other combustible material,
(15) as a manufactory or place of business of any other kind from which offensive or unwholesome smells arise or which may involve risk of fire,

prescribing the fees payable in respect of such licenses and providing for the inspection and regulation of the conduct of business in any place used as aforesaid so as to secure cleanliness therein or to minimize any injurious, offensive or dangerous effect arising or likely to arise therefrom;

(*c*) directing that no place shall be used as a market or shop for the sale of animals, meat, fish, fruit or vegetables intended for human food or as a slaughterhouse or as a cart-stand or as a burial and burning ground or for carrying out any of the purposes mentioned in sub-clause (iv) of clause (*b*), excepting the public markets or slaughterhouses or cart-stands or burial and burning grounds constructed or opened or places set apart for carrying out any of the purposes mentioned in sub-clause (iv) of clause (*b*), by the District Board, or such other markets or slaughterhouses or cart-stands or places for carrying out any of the purposes mentioned in sub-clause (iv) of clause (*b*) as may have been licensed in writing by the District Board; — for prohibiting use of other than public or licensed markets, slaughter-houses, etc.;

(*d*) providing for the inspection of hotels, bakeries, sweetmeat shops and other places for the sale of articles intended for human food or drink other than those mentioned in clause (*b*) and for securing the cleanliness of such places and the wholesomeness of the articles prepared, kept or sold therein; — for inspecting hotels, etc.;

(*e*) regulating the use of and the prevention of nuisances in regard to public water-supply, bathing and washing places, streams, channels, tanks and wells; — for preventing nuisances in regard to water-supply;

(*f*) preventing nuisances affecting the public health, safety or convenience; — for preventing nuisance to public health;

(*g*) prohibiting the transit of any vehicles of such form, construction, weight or size or laden with such machinery or other unwieldy objects as may be deemed likely to cause injury to the roadway, or to any construction thereon or risk or obstruction to other vehicles or to pedestrians, along or over any road except on payment of such fees or tolls and under such conditions as to time, mode of traction or locomotion, use of appliances for protection of the roadway, number of — for controlling unwieldy traffic.

lights and assistants and other general precautions as may be prescribed, either generally or in special licenses to be granted in each case.

Infringement.

Any person infringing any bye-laws made under this Regulation shall be punished with fine not exceeding fifty rupees for each offence, and in case of a continuing offence with a further fine not exceeding ten rupees for each day after written notice of the offence by the District Board.

Publication of drafts of proposed bye-laws.

(2) The District Board shall, before making any bye-law under this section, publish in such manner as shall in their opinion be sufficient, for the information of the persons likely to be affected thereby, a draft of the proposed bye-law, together with a notice specifying a date on or after which the draft will be taken into consideration and shall, before making the bye-law, receive and consider any objection or suggestion with respect to the draft which may be made in writing by any person before the date so specified.

Objections and suggestions to be submitted to Government.

(3) When any bye-law made by the District Board is submitted to Government for sanction, a copy of the notice published as aforesaid and of every objection or suggestion so made, shall be submitted for the information of the Government along with the said bye-law.

Government may sanction any bye-law or cancel its sanction.

(4) The Government may sanction any such bye-law with such modifications as it may think fit, and may at any time cancel or withdraw its sanction to any such bye-law and thereupon the bye-law shall cease to have effect."

T. ANANDA ROW,
*Dewan.*